

EXHIBIT 4

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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

MAXIMILIAN KLEIN and SARAH GRABERT,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

FACEBOOK, INC., a Delaware corporation
headquartered in California,

Defendant.

Case No. 5:20-cv-08570-LHK

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO ENLARGE TIME TO
RESPOND TO THE COMPLAINT**

Hon. Lucy H. Koh

1 WHEREAS, plaintiffs Maximilian Klein and Sarah Grabert served the Complaint (ECF
2 No. 1) on December 9, 2020;

3 WHEREAS, defendant Facebook, Inc.'s response to the Complaint is currently due
4 December 30, 2020;

5 WHEREAS, after the filing of this case, five other putative class action lawsuits¹ have
6 been filed against defendant Facebook, Inc. in this District in recent weeks alleging violations of
7 Section 2 of Sherman Act, 15 U.S.C. § 2;

8 WHEREAS, four of these lawsuits, including this case, are currently the subject of
9 contested motions pending before Judge Freeman to consider whether the cases should be related
10 to *Reveal Chat Holdco, LLC v. Facebook, Inc.*, No. 5:20-cv-00363-BLF;

11 WHEREAS, one of these lawsuits (*Sherman*) is currently the subject of a motion pending
12 before this Court to consider whether it should be related to this case (ECF No. 19);

13 ACCORDINGLY, pursuant to Civil Local Rules 6-1 and 7-12, Facebook and plaintiffs,
14 by and through their respective counsel, hereby stipulate and agree that good cause exists to
15 extend Facebook's time to answer or otherwise respond to the Complaint until the earlier of (a)
16 February 16, 2021, or (b) the date on which Facebook files its response to the Complaints in
17 *Sherman v. Facebook, Inc.*, No. 3:20-cv-08721-LB; *Kupcho v. Facebook, Inc.*, No. 4:20-cv-
18 08815-JSW; *Dames v. Facebook, Inc.*, No. 3:20-cv-08817-TSH; *Steinberg v. Facebook, Inc.*,
19 No. 3:20-cv-09130-SK; and *Affilius, Inc. v. Facebook, Inc.*, No. 4:20-cv-09217-KAW, or any
20 other case that a plaintiff or Facebook asserts is related to either *Reveal Chat*, *Klein*, or any of the
21 above matters.

25 ¹ The lawsuits are: *Sherman v. Facebook, Inc.*, No. 3:20-cv-08721-LB; *Kupcho v. Facebook*,
26 *Inc.*, No. 4:20-cv-08815-JSW; *Dames v. Facebook, Inc.*, No. 3:20-cv-08817-TSH; *Steinberg v.*
27 *Facebook, Inc.*, No. 3:20-cv-09130-SK; and *Affilius, Inc. v. Facebook, Inc.*, No. 4:20-cv-09217-
28 KAW.

1
2 Dated: December 23, 2020

WILMER CUTLER PICKERING HALE
AND DORR LLP

3 By: /s/ Sonal N. Mehta

4 SONAL N. MEHTA

5
6 *Attorney for Defendant*
7 Facebook, Inc.

8 Dated: December 23, 2020

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By: /s/ Warren Postman

Attorney for Plaintiffs
Maximilian Klein and Sarah Grabert

SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing. Pursuant to Civil Local Rule 5-1(i), I hereby attest that the other signatories have concurred in this filing.

Dated: December 23, 2020

By: /s/ Sonal N. Mehta
Sonal N. Mehta

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED: Facebook's time to answer or otherwise respond to the Complaint is enlarged up to and including the earlier of (a) February 16, 2021, or (b) the date on which Facebook files its response to the Complaints in *Sherman v. Facebook, Inc.*, No. 3:20-cv-08721-LB; *Kupcho v. Facebook, Inc.*, No. 4:20-cv-08815-JSW; *Dames v. Facebook, Inc.*, No. 3:20-cv-08817-TSH; *Steinberg v. Facebook, Inc.*, No. 3:20-cv-09130-SK; and *Affilious, Inc. v. Facebook, Inc.*, No. 4:20-cv-09217-KAW, or any other case that a plaintiff or Facebook asserts is related to either *Reveal Chat, Klein*, or any of the above matters.

DATED: December 29, 2020

By: Lucy H. Koh
Hon. Lucy H. Koh
United States District Judge

Submitted by:

WILMER CUTLER PICKERING HALE AND DORR LLP

By: /s/ Sonal N. Mehta
Attorney for Facebook, Inc.